



Response under 37 C.F.R. § 1.116 Expedited Procedure Examining Group 2652

PATENT

ATTORNEY DOCKET NO.: 041514-5212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Ap	oplication of:) Confirmation No.: 5436
Masaka	zu OGASAWARA et al.) Group Art Unit: 2652
Application No.: 10/043,287		Examiner: Agustin, Peter Vincent
Filed: J	January 14, 2002) Mail Stop AF
]	OPTICAL PICKUP DEVICE DRIVEN BY AN ERROR SIGNAL OBTAINED FROM AN OPTICAL DETECTOR'S OUTPUT SIGNALS (As Amended)))))
U.S. Pat	ssioner for Patents tent and Trademark Office er Window, Mail Stop AF dria, VA 22314	
Sir:	RESPONSE AND REQUEST	F FOR RECONSIDERATION
	TRANSMITTA	L FORM
	Transmitted herewith is an Amendment in re January 12, 2005.	esponse to the Office Action dated
2.	Additional papers enclosed:	
	pertaining thereto for biotechnology acid sequence.	al Power of Attorney and Grant of
1-WA/2357	157.1	

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

\boxtimes	conditional petition	is being made to pro	ime is required. However, this vide for the possibility that Applicant has petition and fee for extension of time.		
	Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:				
	Total Months	Fee for	[Fee for Small		
	Requested	<u>Extension</u>	Entity]		
	one month	\$ 120.00	\$ 60.00		
	two months	\$ 450.00	\$ 225.00		
	three months	\$ 1,020.00	\$ 510.00		
	four months	\$ 1,590.00	\$ 795.00		
	Extension of time f	ee due with this reque	est:		
	If an additional extended therefor.	ension of time is requ	ired, please consider this a Petition		
	An extension for	months has alre	ady been secured and the fee paid		
	therefor of	_ is deducted from the	ne total fee due for the total months of		
	extension now requ	iested.			

4. <u>Constructive Petition</u>

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	20	minus	20	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R.§1.16(b))	2	minus	3	0	x \$200 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s) \$360.00					+ \$0.00	
SUB-TOTAL =					\$0.00	
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =					\$0.00	

6. <u>Fee Payment</u>

\boxtimes	No fee is to be paid at this time.
	The Commissioner is hereby authorized to charge $\underline{0.00}$ to Deposit Account No. 50-0310 for the extension of time fee.
\boxtimes	The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: March 14, 2005 By:

Paul A. Fournier Reg. No. 41,023

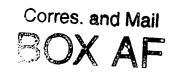
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Commissioner for Patents U.S. Patent and Trademark Office Customer Window, Mail Stop AF Alexandria, VA 22314	

RESPONSE AND REQUEST FOR RECONSIDERATION

In response to the Final Office Action dated January 12, 2005, the period for response to which extends through April 12, 2005, reconsideration and withdrawal of the rejections set forth in the pending Office Action are respectfully requested.

Sir: